THIRD AMENDMENT TO THE DIAMOND ALKALI SUPERFUND SITE SIX MONTH TOLLING AGREEMENT

This Agreement is entered into on June <u>30</u>, 2020 between the United States, on behalf of the United States Environmental Protection Agency, and the undersigned Potentially Responsible Parties (hereinafter, "Cooperating Parties"). The undersigned representative of each party certifies that he or she is fully authorized to enter into the terms and conditions of this Agreement, and to execute and bind such party to this document.

The parties agree as follows:

- 1. That the Tolling Period established by Paragraph 1 of the Diamond Alkali Superfund Site Six Month Tolling Agreement is hereby amended to substitute "November 12, 2020" for "August 16, 2019," so that the Tolling Period shall extend without interruption from February 15, 2019 through November 12, 2020.
- 2. All other provisions of the Diamond Alkali Superfund Site Six Month Tolling Agreement remain unchanged and continue in full force and effect under its terms.
- 3. This Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement may be signed in counterparts.

The United States, on behalf of the United States Environmental Protection Agency, consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representatives.

HENRY FRIEDMAN

Assistant Section Chief

Environmental Enforcement Section

Environment & Natural Resources Division

United States Department of Justice

By:

LAURA J. ŘOWLÆY

Senior Attorney

Environmental Enforcement Section United States Department of Justice

P.O. Box 7611

Washington, D.C. 20044

A group of Cooperating Parties, identified in Attachment A, have authorized Preti, Flaherty, Beliveau & Pachios, Chartered, LLP, Jeffrey D. Talbert, to sign this extension to a 90-day agreement on their behalf. The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative on this 25th day of June, 2020.

For: The companies listed on Attachment A.

By:

Jeffrey D. Talbert

Partner at Preti, Flaherty, Beliveau & Pachios, Chartered, LLP - Counsel for the Small Parties

Group

One City Center

PO Box 9546

Portland, ME 04101-9546

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jtalbert@preti.com

Attachment A

(as of 6/25/2020)

- 1. Arkema Inc.
- Ashland LLC
- 3. BASF Corporation (on its own behalf and on behalf of BASF Catalysts LLC)
- 4. Berol Corporation
- 5. Coats & Clark Inc.
- 6. CNA Holdings, LLC and Celanese Ltd.
- 7. Conopco, Inc., d/b/a Unilever (as successor to CPC/Bestfoods, former parent of Penick Corporation)
- 8. DII Industries, LLC
- Emerald Kalama Chemical, LLC
- 10. EnPro Holdings, Inc. (successor to Coltec Industries, Inc.)
- 11. EPEC Polymers Inc. (El Paso Tennessee Pipeline Co.)
- 12. Essex Chemical Corporation
- 13. Franklin-Burlington Plastics, Inc.
- 14. Givaudan Fragrances Corp.
- 15. Goodrich Corporation
- 16. Honeywell International, Inc.
- 17. ISP Chemicals LLC
- 18. Kalama Specialty Chemicals, Inc.
- 19. Newell Brands Inc. (f/k/a Newell Rubbermaid Inc.)
- 20. Noveon Hilton Davis, Inc.
- 21. Otis Elevator Company
- 22. Quala Systems, Inc.
- 23. Quality Carriers, Inc.
- 24. Revere Smelting and Refining Corporation
- 25. Safety-Kleen Envirosystems Company/McKesson Corporation
- 26. Stanley Black & Decker, Inc.
- 27. STWB, Inc.
- 28. Sun Chemical Corporation
- 29. Textron, Inc.
- 30. The Hartz Mountain Corporation
- 31. The Newark Group, Inc.
- 32. The Okonite Company, Inc.
- 33. The Sherwin Williams Co.
- 34. ViacomCBS (formerly known as "CBS Corporation")

15758313.3

For:	Atlantic Richfield Company
Signature:	David a. Haust
Printed Name:	David A. Haworth
Title:	Attorney
	Ballard Spahr LLP
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	210 Lake Drive East, Suite 200
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For: [Company Name] BOWMIN MORE & CO.

Printed Name: ERIC ARONSON

Title: PARTNER

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Phone Number: (212) 806-6627

Email: earonson@stroock.com

athu & Demyser

For:

Canning Gumm LLC

Signature:

Printed Name:

Heather L. Demirjian, Esq.

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Counsel for Canning Gumm LLC

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For:

Chevron Environmental Management Company, a California Corporation

Signature:

909F8DD3C923449...

Printed Name: Gina K. Lee Title: Assistant Secretary

Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583

2020-Jun-10 | 3:37 PM PDT

Texaco Inc., a Delaware Corporation

Signature:

----Docusigned by: Harfreet K. Tiwana

---- 5093F566A32543B...

Printed Name: Harpreet K. Tiwana

Title: Assistant Secretary

Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583

2020-Jun-10 | 3:29 PM PDT

TRMI-H LLC, a Delaware limited liability company

Signature:

Printed Name: Michael W. Woody

Title: Assistant Secretary

Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583

2020-Jun-10 | 4:43 PM PDT

For: Congoleum Corporation

Signature: James Fronzek 6/4/2020

Printed Name: James Monyak

Title: Vice President, Administration

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For: Cooper Industries, LLC

Signature: Supa a. Ju

Printed Name: Sonja Inglin

Title: Counsel for Cooper Industries, LLC and Authorized Signatory

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For: Covanta Essex Company

Signature:

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For:	E. I. du Pont de Nemours and Compan
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The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkeli Superfund Site Six Month Tolling Agreement by its duly authorized representative or sign this Americant. For: [Company Name] (a fiel) Molding Co. y Inc.
Signature: (+111) + 11111

Printed Name: Patricle J. Mistromick Title: Ro atturey for Gartier Molling Co., The. 1515 model St. Ste. 700 Philadelphia, PA 19802 Address Phone Number: (20) 320-2087 profinct entry law com

For: General Electric Company

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For: Hexcel Corporation

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For: Hoffmann- LaRoche Inc.

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For: L3Harris Technologies, Inc. f/k/a Harris Corporation, for itself and as successor in interest to Exelis Inc. successor in interest to ITT corporation with respect to its former facility in Clifton and Nutley, New Jersey.

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Leemilts Petroleum, "Inc. For:

By:

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Nicole R. Moshang Printed Name

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For:

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For: Nokia of America Corporation

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Signature:

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For: Pitt-Consol Chemical Company
Signature: David A. Haworth

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For: Public Service Electric and Gas Company and PSEG Fossil, LLC

Signature

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For: Tate & Lyle Ingredients Americas LLC

Signature:

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For: Atlas Refinery, Inc.

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conting Party consents to the terms and conditions of this That Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly nuthorized representative.

For: [Company Name] Kearny Smelting & Refining Compi

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Tide President

Kearny Smelting

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with copy to Lee Henig-Elona, Esq Thenig-elona@grsm.com

For: Neu Holdings U.S. Corporation

'y· <u>| }</u>

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For: [Company Name] Occalental Chemical Corporation

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For: WestRock-Southern Container, LLC Signature:

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